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ORDER ADOPTING THE REPORT AND
RECOMMENDATION OF THE MAGISTRATE JUDGE

Accordingly, it is ORDERED that the decision of the Commissioner of Social Security denying plaintiff benefits (Tr. 6-8, 18-34), be REVERSED and REMANDED to the Social Security Administration, pursuant to sentence four of 42 U.S.C. § 405(g), see Melkonyan v. Sullivan, 501 U.S. 89 (1991), for further consideration of plaintiff’s “severe... depressive/anxiety disorder” in light of Moore v. Barnhart, [405 F.3d 1208], 2005 WL 831674 (11th Cir. 2005),” consistent with this opinion (doc.16, p.9).

The Remand pursuant to sentence four of § 405(g), makes plaintiff a prevailing party under the Equal Access to Justice Act, 28 U.S.C. § 2412, see Shalala v. Schaefer, 509 U.S. 292 (1993), and terminates this court's jurisdiction over the matter.

DONE the 9th day of June, 2005.

S/Virgil Pittman
SENIOR UNITED STATES DISTRICT JUDGE